

Remarks

Priority

The Examiner maintains that there is no copendency between the present application and the earlier filed application 09/931,159, filed Aug 16, 2001.

Applicants have filed a petition to revive U.S. application Serial No. 09/931,159 under 37 CFR 1.137(b). Applicants have also filed an extension for reply within the third month for U.S. application Serial No. 09/931,159 and the current fee for said extension. Applicants assert the present application is now copending with U.S. application Serial No. 09/931,159. Applicants assert that the claim of benefit to U.S. application Serial No. 09/931,159, filed Aug 16, 2001 under U.S.C. § 120 has now been perfected.

Rejection under 35 U.S.C. § 102(b)

Claims 19 and 145-156 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Cohen I, Cohen II and Cummings.

Applicants assert that perfection of priority in the present case renders rejections of Claims 19 and 145-156 under 35 U.S.C. § 102(b) as being anticipated by Cohen I, Cohen II and Cummings moot since none of these documents published before Applicants' effective filing date of October 30, 1996, the priority date of provisional application No. 60/029,850.

Conclusion

Applicants assert since priority claim has been perfected, the present rejections are rendered moot, and the claims 19 and 145-156 are ready for grant.

Respectfully submitted,

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